Bankruptcy Case Opening Procedure
(for Attorneys)

This is the procedure to open a bankruptcy case on CM/ECF. The case is a chapter 7, no asset, with joint debtors.

STEP 1 Click on the Bankruptcy hyperlink on the CM/ECF Main Menu Bar. **(See Figure 1.)**

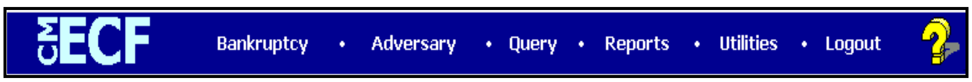
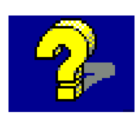


Figure 1

STEP 2 The **BANKRUPTCY EVENTS** screen displays. **(See Figure 2.)**

Figure 2a

— For further information on each of these categories, click the **HELP** icon on the CM/ECF Main Menu Bar (the question mark, pictured below). That will bring up a help screen. **(See Figure 2b, next page.)**



Context Help - Netscape

Bankruptcy Events

Select one of the menu options available and subsequent screens will prompt you for the information required to:

Answer/Response	File an answer, response, or reply to a motion/application in a bankruptcy case.
Appeal	File an appeal to a case.
Batch Filings	File different documents to different (unrelated) cases at the same time. (See also Multi-Case Docketing).
Claim Actions	File documents related to claims that have already been filed.
Court Events	File documents or docket events (e.g., utility events) to which only court users have access.
Creditor Maintenance	Enter the names and addresses of creditors for a bankruptcy case, either individually or by uploading a creditor matrix. Also edit creditors' names and addresses.
File Claims	File a claim in a bankruptcy case.
Motions/Applications	File a motion or application to a bankruptcy case.

Figure 2b

— This screen gives you more information about the menu selections. To see information for other options, scroll down using the arrows or scroll bar on the right. **(See Figure 2c.)**

Multi-Case Docketing	File the same document to many unrelated cases at the same time (the user must make sure that there is no case-specific information in this document). (See also Batch Filings.)
Notices	File a notice to a bankruptcy case.
Open a BK Case	Open/Reopen a Bankruptcy Case.
Orders/Opinions	File an order or an opinion to a bankruptcy case.
Other	File a miscellaneous document to a bankruptcy case.
Plan	File a plan (e.g., Chapter 11 Plan) to a bankruptcy case.
Trustee/US Trustee	File a document related to the chapter trustee or the U.S. Trustee.
Trustee's 341 Filings	Allows the chapter 7 trustee to specify the action to be docketed for each 341 meeting on a given date.

Updated 08/30/00 (BankruptcyEvents.htm)

close

Figure 2c

— To close this help screen, click on the "X" in the top right corner of the screen, or click on the **[Close]** box at the bottom of the screen. This will return you to the Bankruptcy Events screen. **(See Figure 2a.)**

STEP 3 At the Bankruptcy Events screen, click on the <u>Open a BK Case</u> hyperlink. The **Open New Bankruptcy Case** screen will display. **(See Figure 3.)**

Figure 3

— The case number is generated automatically and will be presented on a later screen.

— Select **Office** from the pick list or skip to accept the default.

— The current date is displayed in the **Date Filed** box.

— Select the **Chapter** from the pick list box, or skip it if the default is correct.

— The default value for **Joint Petition** is **n** (no). For a Joint filing, select **y** (yes).

NOTE: Non-debtor spouse information should be reported on Schedule H.

— The **Case Type** always defaults to **bk**. There is no other option.

— If there are any items missing from the petition, change the **Deficiencies** box from **n** (no) to **y** (yes). A deficiency list will then be presented on a later screen.

— When this screen is correct, click on the **[Next]** button to continue.

STEP 4 The **SEARCH FOR A PARTY** screen displays. **(See Figure 4.)**

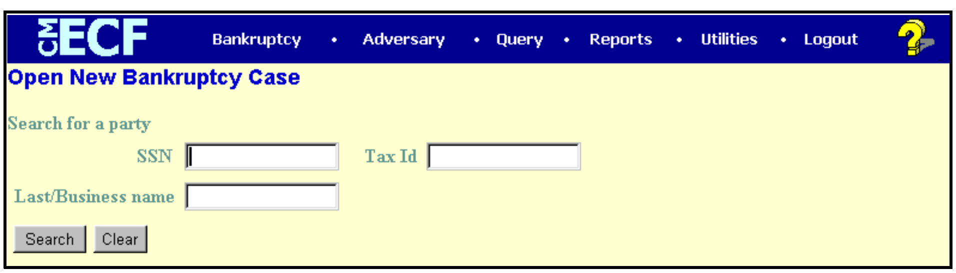


Figure 4

— This screen is for you to enter the parties on the case. Before you add the debtor(s), or any party, you should search the database to see if that party already exists in the database from another case to eliminate duplicate records in the system. You can search by Social Security Number, Tax Identification Number, Last Name, or Business Name.

- You can enter the last name or the first few characters of the last name to search the database. If this is a business filing, enter the first word or significant words of the business name to search. The entire business name is stored in the **Last/Business name** field. The field size is 80 characters.

NOTE: The entire name of businesses resides in the **Last/Business** field. Therefore, for business filings, entering the first part of the name may be sufficient to find a match.

Search Hints:

- Enter one field of data for each search.
- Format Social Security Number or Tax ID with hyphens.
- Searching is case sensitive. (Smith, not smith)
- Include punctuation. (O'Brien)
- Try alternate search clues if your first search is not successful.
- Partial names can be entered.
- Wild cards (*) are not required at the end of search strings.
- Wild cards may be used before or within search strings. (*son, Gr?y)
- A question mark (?) represents a wild card for one character only.
- An asterisk (*) is a wild card for any number (or none) characters.
- The asterisk * should not be used by itself. It will search ALL records in the database and use unnecessary system resources.

— Enter the debtor's last name in the **Last/Business name** field or enter the debtor's Social Security Number in the SSN field and click on the **[Search]** button to continue.

STEP 5 If there are no matches, the system will return a **No Person Found** message. **(See Figure 5.)**

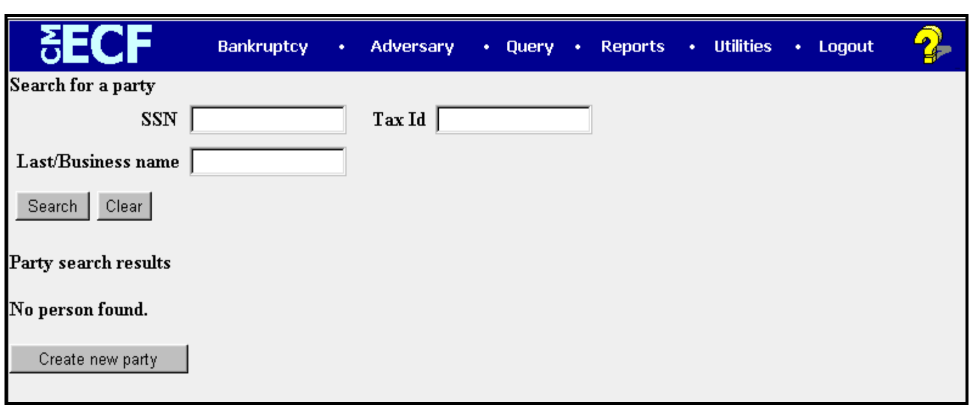


Figure 5

— Once you have tried alternative searches and determined that the party is not already on the database, you can add them to the database. Click **[Create New Party]**.

STEP 6 The **PARTY INFORMATION** screen displays. **(See Figure 6.)**

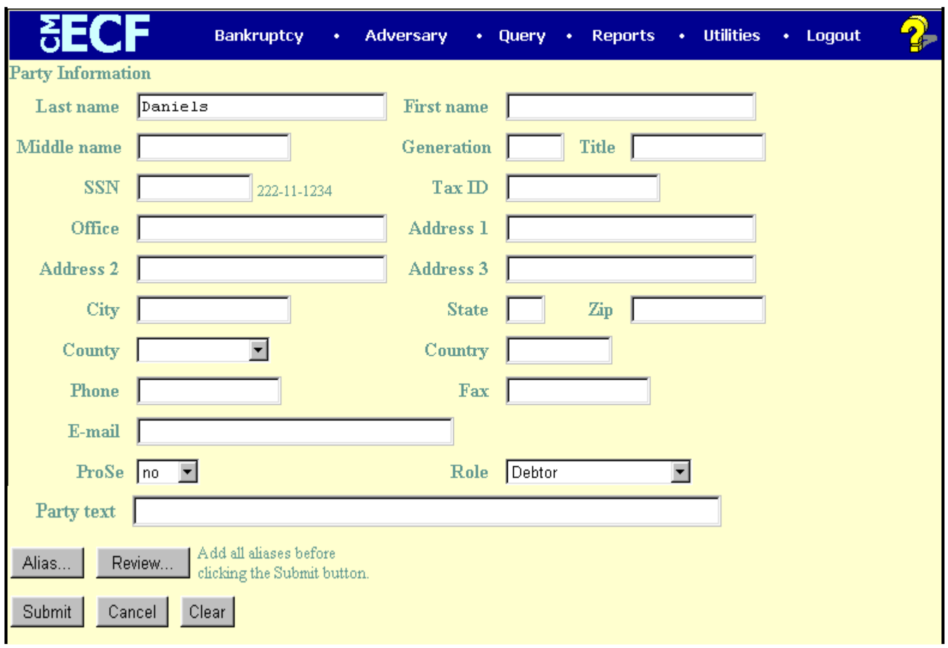


Figure 6

— Enter the debtor's **Name**, **Social Security Number** (or **Tax I.D. Number**), and **Address** information in the appropriate boxes.

— Select the debtor's **County** of residence from the pick list.

NOTE: Type the first letter of the county name for a faster search.

— Choose **y** (yes) or **n** (no) for pro se designation. The default is **n** (no).

— Expand the **Role Type** selection pick list box by clicking on the down arrow –, and selecting Debtor.

— Enter further descriptive text in the **Party Text** field, if appropriate. (Ex.: A Connecticut Corporation, Guardian of the State, etc.)

— It is not necessary to add the attorney representing the debtor. Because you are an attorney, your name will be linked to the party you are representing automatically at the end of this transaction. Your login will furnish your attorney information to the system.

— If the party has an alias, click the **[Alias]** button.

STEP 7 The **ALIAS** screen appears. **(See Figure 7.)**

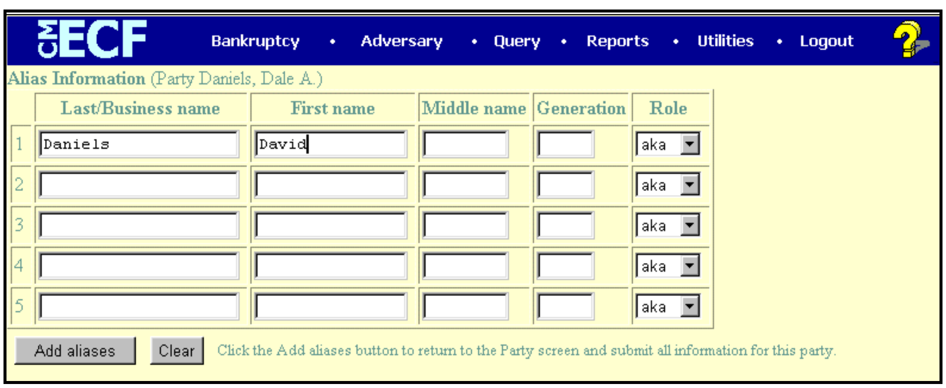


Figure 7

— You can enter up to five alias records on this screen. **Alias Role** selections include aka, dba, fdba, fka.

— Click on the **[Add aliases]** button.

NOTE: If the party has more than 5 aliases, click on the **[Alias]** button again and repeat the process as many times as needed.

STEP 8 The **PARTY INFORMATION** screen appears once more. **(See Figure 8a.)**

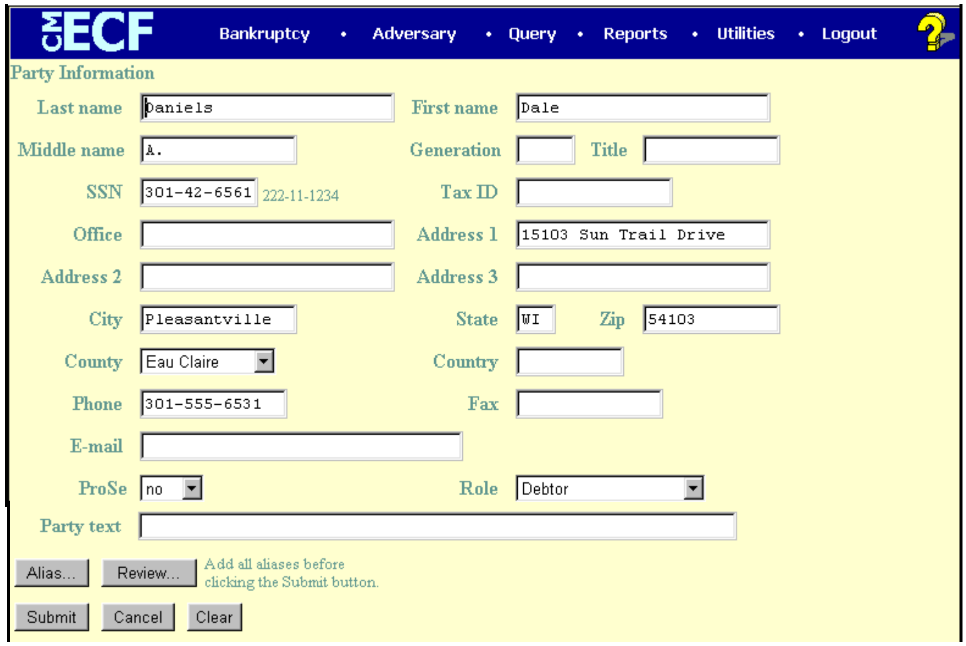


Figure 8a

— At any time, clicking on the **[Review]** button presents a screen summarizing the attorney and alias activity for this debtor. **(See Figure 8b.)**

Figure 8b

— Verify the information.

— Be careful of the **[Clear]** button. You could accidentally delete information.

— Click on the **[Return to Party Screen]** button to continue.

STEP 9 The **PARTY INFORMATION** screen will return again. **(See Figure 8a.)**

— If you are finished adding information for this new party, click on the **[Submit]** button to continue with Case Opening.

STEP 10 If this were a joint filing, a **JOINT DEBTOR PARTY** screen would appear next. **(See Figure 10a.)** You will be given the option to search the database for the joint debtor.

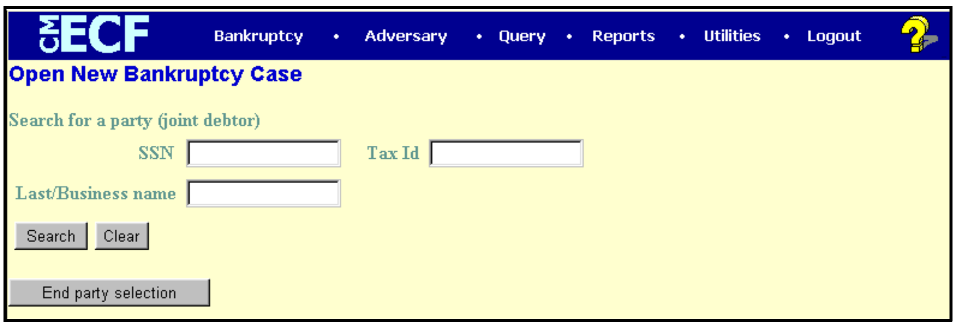


Figure 10a

— If there are no matches, the system will return a **No Person Found** message. **(See Figure 10b.)**

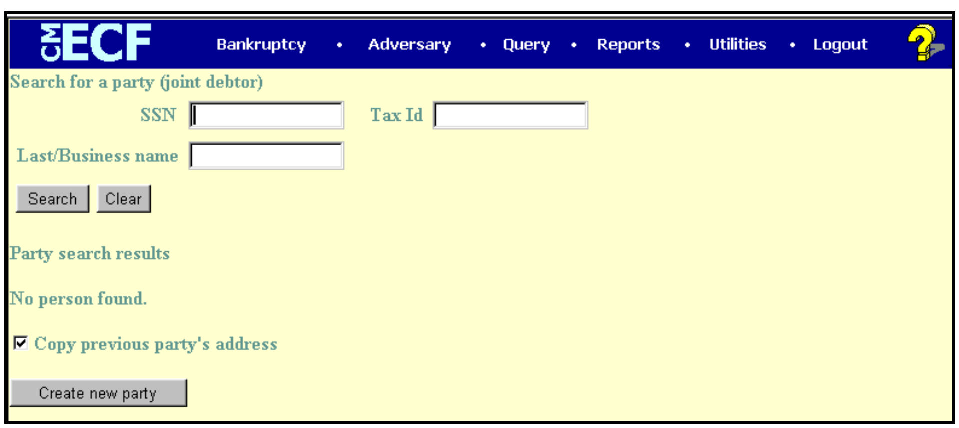


Figure 10b

— Once you have tried alternative searches and determined that the party is not already on the database, you can add them to the database. Click **[Create New Party]**. You are given the option to copy the previous party’s address information by checking the **Copy previous party’s address** box.

— The **PARTY INFORMATION SCREEN** appears. **(See Figure 10c.)**

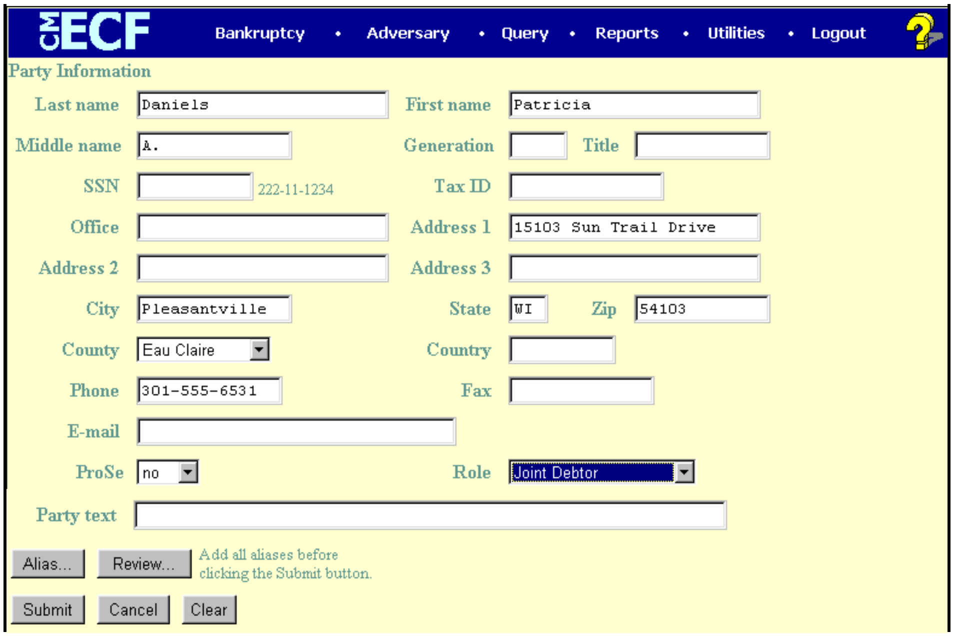


Figure 10c

— Enter the joint debtor's **Name**, **Social Security Number** (or **Tax I.D. Number**), and address (if not already filled in) information in the appropriate boxes.

— Select the debtor's **County** of residence from the pick list.

NOTE: Type the first letter of the county name for a faster search.

— Choose **y** (yes) or **n** (no) for pro se designation. The default is **n** (no).

— Expand the **Role Type** selection pick list box by clicking on the down arrow –, and selecting **Joint Debtor**.

— Enter further descriptive text in the **Party Text** field, if appropriate. (Ex.: A Connecticut Corporation, Guardian of the State, etc.)

— Follow STEPS 7, 8, and 9 to complete entering information for this joint debtor.

STEP 11 The **STATISTICAL DATA** screen appears next. **(See Figure 11.)**

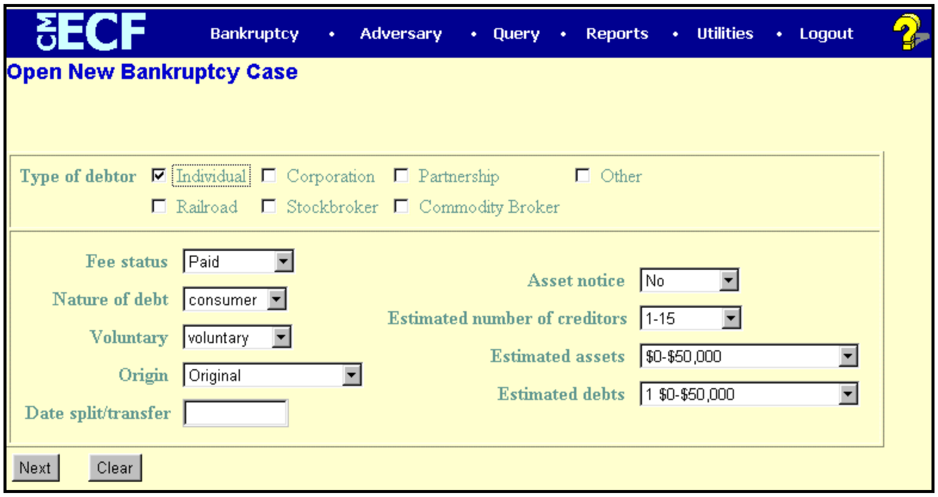


Figure 11

— Select the **Type of Debtor** by clicking in the appropriate box.

— **Fee Status** values are Paid and Installment. If the petition is accompanied by an Application to Pay Filing Fees in Installments, choose **Installment** from the pick list.

— Designate the **Nature of Debt** as Consumer or Business.

- Chapter 13 cases must ALWAYS be entered as "consumer"; Chapters 9 and 12 must ALWAYS be entered as "business."

- If the Chapter 7 or Chapter 11 petition page is marked as "consumer," but there is a business association, such as "dba" on the petition, Schedule I, or the Statement of Affairs, the Nature of Debt should be "business," and the Type of Debtor should be "Individual."

— The default value is for a **Voluntary** Petition.

— Enter the correct **Origin** code from the values Original, First Reopen, Second Reopen, Third Reopen, Split or Inter-District Transfer. No action is necessary if this is the first filing; the default value of Original is correct.

If a value other than Original is selected, the user will be presented with another pick list on the following screen.

— **Date Split/Transfer** is only necessary when a joint debtor splits from the original case or if this case was transferred in from another district.

— Choose **y** (yes) or **n** (no) for **Asset notice** designation.

- Chapter 11, 12, and 13 cases are ALWAYS entered as "Asset."

— Select the range of **Estimated Creditors** from the pick list.

— Select the correct dollar range for **Estimated Assets**.

— Select the correct dollar range for **Estimated Debts**.

— Click **[Next]** to continue.

STEP 12 If you selected **y** for **Deficiencies** on the **Case Data** screen, the Chapter 7 **DEFICIENCY LIST** screen appears. **(See Figure 12.)**

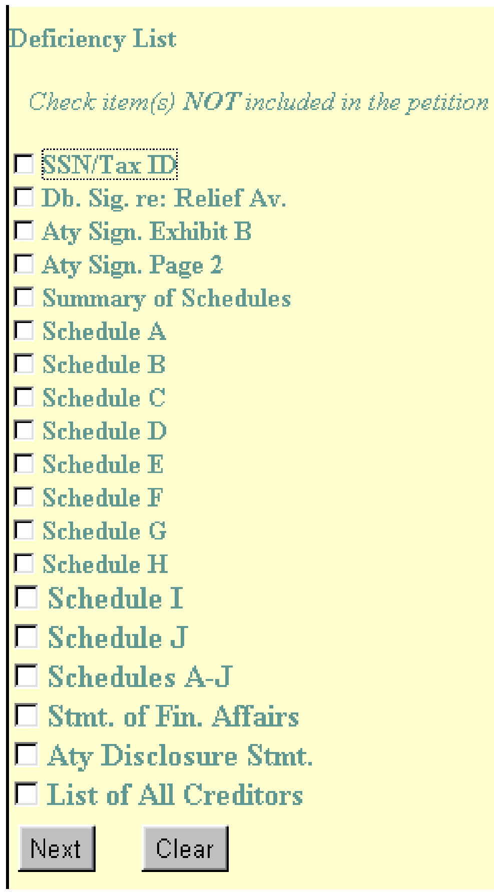


Figure 12

NOTE: This list will vary by chapter.

— Place a check mark in each check box for each item that is not included with this petition by clicking on it with your mouse.

— Click **[Next]** to continue.

STEP 13 The **PDF DOCUMENT SELECTION** screen appears. **(See Figure 13a.)**

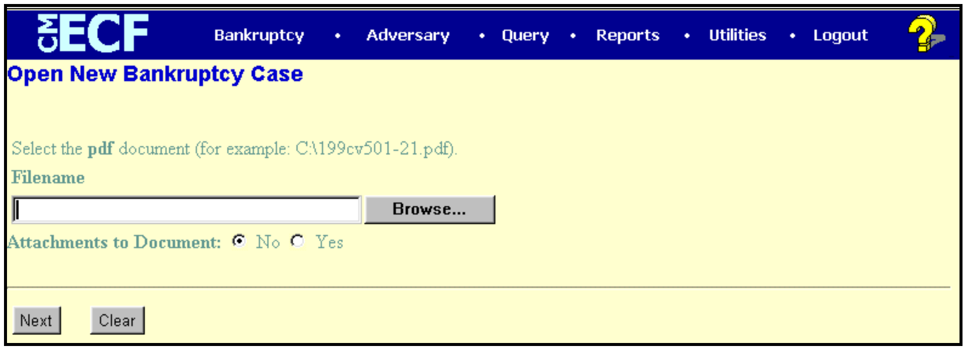


Figure 13a

NOTE: This screen is used for associating the imaged document with this entry. Attorneys <u>must</u> enter the path and name of a PDF (portable document format) document here.

— Click **[Browse]**, then click on the down arrow – for the **Files of type** field.

— In the drop-down box, click on **All Files (*.*)**.

— Navigate to the directory where the appropriate PDF file is located.

— Highlight the file.

- To make certain you are about to associate the correct PDF file for this entry, right-click on the filename with your mouse and select **Open**. **(See Figure 13b.)**

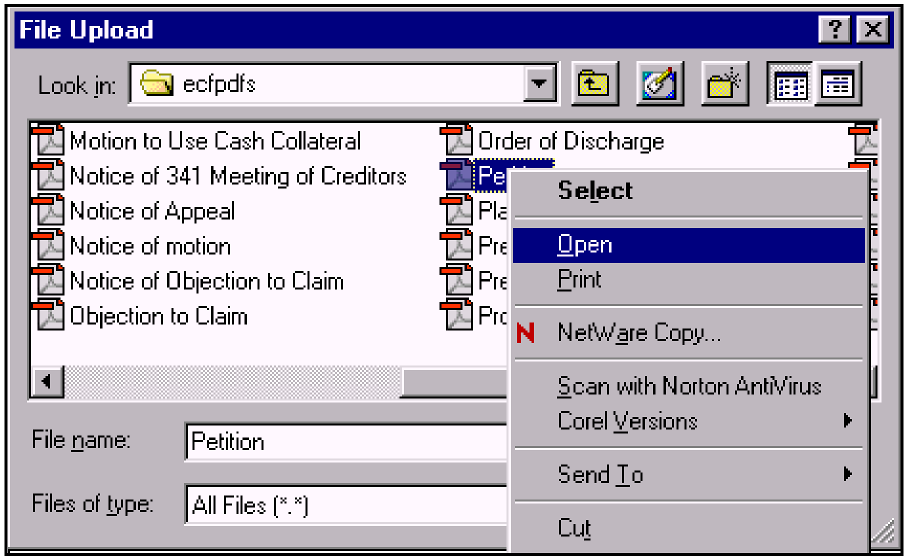


Figure 13b

- This will launch the Adobe Acrobat Reader to display the contents of the imaged document. Verify that the document is correct.

- Close or minimize the Adobe application and if that is the correct file, click **Open** on the **File Upload** dialogue box. **(See Figure 13c.)**

Figure 13c

— If there are no attachments to the petition, leave the radio button indicating **No**. If there are attachments, click on the radio button indicating **Yes**. For further information on attachments, click the **HELP** icon on the CM/ECF Main Menu Bar.

— Click **[Next]** to continue.

STEP 14 The **INCOMPLETE FILINGS DEADLINE** screen is displayed next. **(See Figure 14.)**

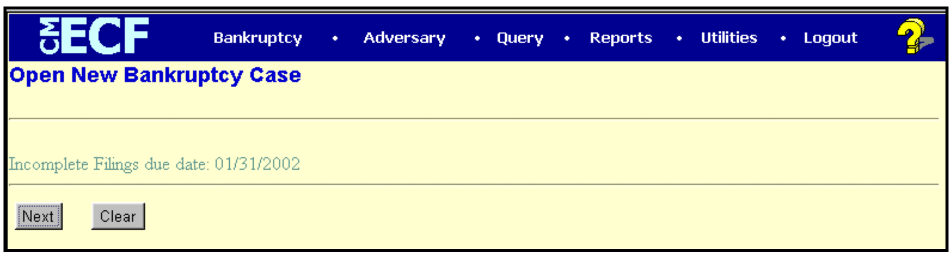


Figure 14

— The deadlines for missing documents are calculated from the file date and refers to the missing Schedules A-J in this example. This will print on the final docket text and will be a schedule record for queries and reports.

— The Statement of Intent deadline may appear on this screen also. The Court will monitor these deadlines for compliance and will verify deficiencies.

— Click on the **[Next]** button to continue.

STEP 15 The Filing Fee screen will appear next, prompting the user for a receipt number **(See Figure 15.)**

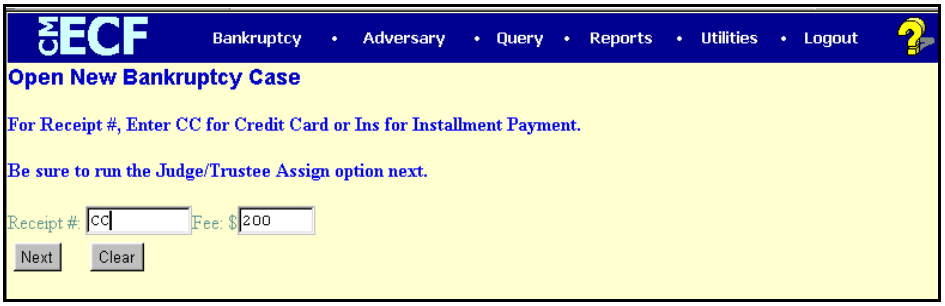


Figure 15

— If the filing fee is being paid by credit card, enter "CC" in the **Receipt #** field. If the filing fee is being paid by installments, enter "Ins" in the **Receipt #** field. **DO NOT** change the default filing fee.

— Click **[Next]** to continue.

STEP 16 The **MODIFY DOCKET TEXT** screen displays. **(See Figure 16.)**

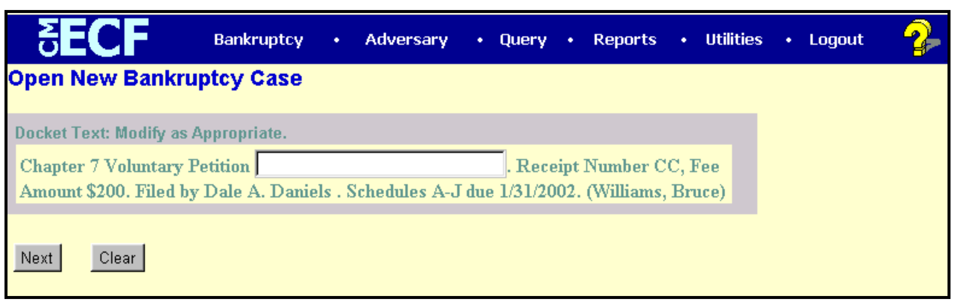


Figure 16

— A supplemental text box will display to add more detail to the docket text. If necessary, add detail to the final text.

— Click **[Next]** to continue.

STEP 17 The **FINAL TEXT EDITING** screen displays. **(See Figure 17.)**

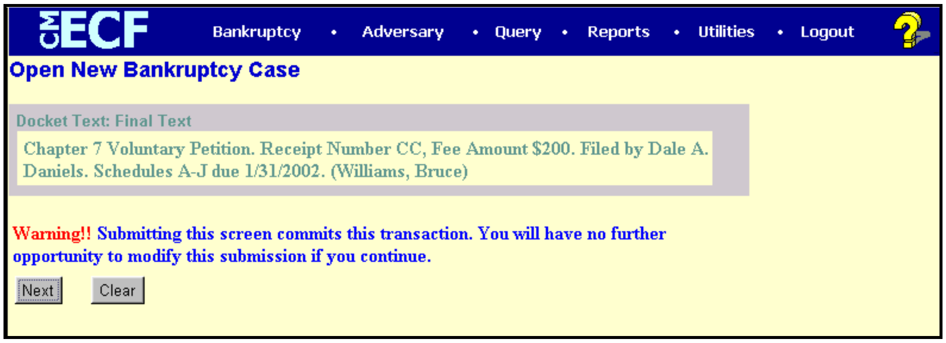


Figure 17

— Proof this screen carefully! This is what will print on the docket sheet.

— If the docket text is incorrect, click the browser **[Back]** button at the top of the screen one or more times to find the screen to be modified, make the correction, and continue through the event.

— To abort or restart the transaction, click on the Bankruptcy hyperlink on the **CM/ECF Main Menu Bar**. Although this can be done at any time, this is your last opportunity to change the event.

— The case number will now be assigned. Click **[Next]** to continue.

STEP 18 The **NOTICE OF ELECTRONIC FILING** screen is then generated. **(See Figure 18.)**

Figure 18

— The **Notice of Electronic Filing** is the verification that the filing has been sent electronically to the court's database. It certifies that the petition is now an official court document.

— Make a note of the case number, which appears in blue. Clicking on the case number hyperlink will display the docket report for this case.

— Clicking on the document number hyperlink 1 will display the PDF image of the petition just filed.

— The Notice of Bankruptcy Case Filing hyperlink appears at the top of the Notice of Electronic Filing. Clicking on this hyperlink reveals a notice summarizing the pertinent details and participants of this case. **(See Figure 19.)**

NOTE: You must enter the PACER login and password to view any documents or reports or perform any queries.

STEP 19 If you click on the <u>Notice of Bankruptcy Case Filing</u> hyperlink at the top of the Notice of Electronic Filing, the Notice of Bankruptcy Case Filing will be displayed. This notice summarizes the pertinent details and participants of this case. **(See Figure 19.)**

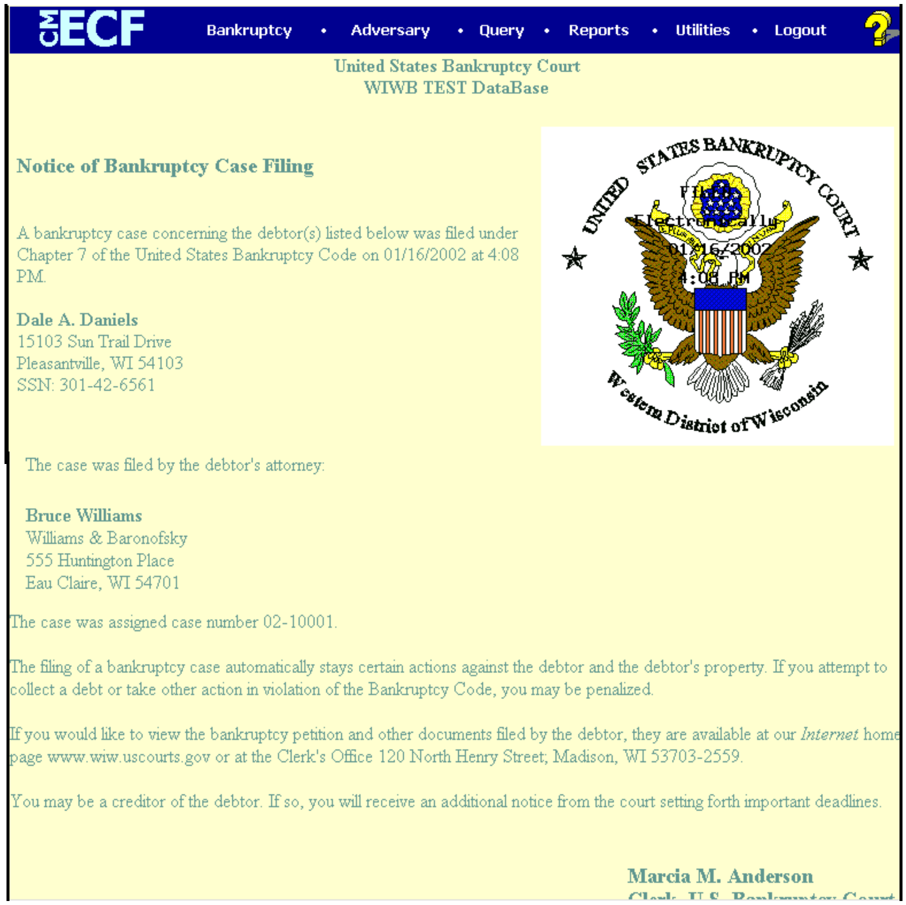


Figure 19

— This certification was created in addition to the initial notice of filing. It also displays the debtor(s), attorney, trustee, case number, time, and filed date of the case opening information. It can be used to notice creditors as an official notice of stay besides the 341 Meeting Notice to stop foreclosures and other creditor actions. It may be saved or printed at the time of filing.

— The Notice of Bankruptcy is also available for viewing or printing through the Query Main Menu Bar selection.

— To print a copy of this notice, click the browser **[Print]** button or icon.

— To save a copy of this receipt, click **[File]** on the browser menu bar and select **Save Frame As**.

NOTE: If this case had been opened by the court, the time stamp would not appear on the seal. It appears only for cases opened electronically by non-court users.

STEP 20 After you have opened all of the new cases on a particular day, it will be necessary to upload the creditor matrices. Refer to the instructions entitled "**Uploading a Creditor Matrix**."

STEP 21 After you have opened all of the new cases on a particular day, it will be necessary to assign the Judge and Trustee to the cases. Refer to the instructions entitled "**Assigning Judge/Trustee**."

STEP 22 File the signed original Declaration Re: Electronic Filing with the court within five days of filing the Petition. Note: This form is required to authenticate the debtor's electronic signature and must be hand-signed by the debtor and debtor's attorney prior to filing the Petition.